

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MELVIN LOWE,)	
)	
Plaintiff/Petitioner,)	
)	
vs.)	CIVIL ACTION NO: 2:05-CV-495WKW
)	
MONTGOMERY COUNTY BOARD)	
OF EDUCATION; VICKIE JERNIGAN,)	
MARK LaBRANCHE, TOMMIE)	
MILLER, MARY BRIERS, DAVE)	
BORDEN, HENRY A. SPEARS and)	
BEVERLY ROSS, in their official)	
capacities as members of the)	
Montgomery County Board of Education;)	
and Dr. CARLINDA PURCELL, in her)	
official capacity as Superintendent of the)	
Montgomery County Board of)	
Education,)	
)	
Defendant/Respondent.)	

JOINT MOTION TO CONTINUE PRETRIAL CONFERENCE

COMES NOW, both parties in the above styled case, by and through their counsel, and requests this Honorable Court to continue the Pretrial Conference that is currently scheduled for June 23, 2006. As grounds for this motion, Plaintiff shows unto the Court as follows:

1. The parties have discussed this Motion and move jointly for this continuance.
2. No parties will be prejudiced by this continuance.
3. The parties are attempting to set a mediation in this case and would like to mediate the case in advance of the Pretrial Conference. The parties have selected a mediator and spoken to the mediator regarding mediation dates. The mediation can not be set prior to the present Pretrial Conference.

DONE this the 6th day of June, 2006.

/s/William F. Patty

WILLIAM F. PATTY (PAT038)

Attorney for Plaintiff Melvin Lowe

OF COUNSEL:

BEERS, ANDERSON, JACKSON,
PATTY & VAN HEEST, P.C.

P.O. Box 1988

Montgomery, AL 36102-1988

334-834-5311 (phone)

334-834-5362 (fax)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing JOINT MOTION TO CONTINUE was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James R. Seale, Esq.

Hill, Hill, Carter, Franco, Cole & Black

P.O. Box 116

Montgomery, AL 36101-0116

on this the 6th day of June, 2006.

/s/William F. Patty

OF COUNSEL